

1 SAMUEL A. KEEBAL, JR. CASB NO. 38014  
2 LISA M. BERTAIN CASB NO. 124646  
3 JULIE L. TAYLOR CASB NO. 154341  
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21 **UNITED STATES DISTRICT COURT**  
22 **NORTHERN DISTRICT OF CALIFORNIA**

23 BUGRA BAKAN, an individual, and ) Case No. C 03 4748 MMC  
24 CANG NGUYEN, an individual, each on )  
25 his own behalf and on behalf of all others )  
26 similarly situated, )  
27 Plaintiffs, )  
28 vs. )  
29 )  
30 CITIGROUP, INC., a Delaware )  
31 corporation; CITIBANK, F.S.B., a Savings )  
32 Association, dba CITIBANK )  
33 CALIFORNIA; CITIBANK (WEST) F.S.B., )  
34 a Savings Association; CITICORP )  
35 INVESTMENT SERVICES, a Delaware )  
36 corporation; and DOES 1 through 50, )  
37 inclusive, )  
38 Defendants. )

**SUPPLEMENTAL JOINT CASE MANAGEMENT STATEMENT AND  
[PROPOSED] ORDER**

The parties to the above-entitled action jointly submit this Supplemental Case Management Statement and [Proposed] Order, pursuant to Civil Local Rule 16-10(d), and request the Court to adopt it as its Supplemental Case Management Order in this case.

## DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS

1. The following progress or changes have occurred since the last case management statement filed by the parties:

The parties have worked with JAMS mediators Hon. Daniel Weinstein and mediator Catherine Yanni to prepare, exchange, review and revise draft settlement materials including a formal settlement agreement, a draft proposed class notice, and a draft request for exclusion. The mediators have assisted in exchanging and reviewing the documents. The parties have met to discuss each side's proposed revisions, believe they are close to executing a final version, and intend to work through any remaining language issues with mediator Catherine Yanni within the next two weeks. The parties then expect to prepare and present motions (1) for preliminary settlement class approval and certification, and (2) to designate Hon. Daniel Weinstein and mediator Catherine Yanni as special masters to coordinate and implement settlement pending final approval by the Court.

1           2. The parties jointly request the Court to make the following  
2           Supplemental Case Management Order:

3  
4           The parties request that the Court set a further Case Management Conference  
5           permitting final agreement on and submission of settlement materials or, alternatively,  
6           hold the currently scheduled conference to permit an oral status report from counsel.

7  
8           DATED: September 9, 2005

9           /s/ Richard C. Rybicki  
10           RICHARD C. RYBICKI  
11           RYBICKI & BLEVANS, LLP  
12           Attorneys for Plaintiffs  
13           BUGRA BAKAN and CANG NGUYEN

14  
15           DATED: September 9, 2005

16           /s/ Julie L. Taylor  
17           SAMUEL A. KEEBAL, JR.  
18           LISA M. BERTAIN  
19           JULIE L. TAYLOR  
20           KEEBAL, YOUNG & LOGAN  
21           Attorneys for Defendants  
22           CITIGROUP, INC.; CITIBANK, F.S.B., dba  
23           CITIBANK CALIFORNIA; CITIBANK  
24           (WEST) F.S.B.; and CITICORP  
25           INVESTMENT SERVICES

26           **CASE MANAGEMENT ORDER**

27           [If continued]: The case management conference set for September 16, 2005 in  
28           this matter shall be continued to December                    9, 2005 at                    in Courtroom  
29                              of this Court. A joint case management statement shall be filed no later than December  
30           2, 2005.

31  
32           DATED: September 9, 2005

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34           MAKINE M. CHESNEY  
35           United States District Judge